

IDS - 11/08/2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

**U.S.PATENTS**[Remove](#)

Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
CM	1	7094527		2006-08-22	Seidel et al.	
CM	2	4007087		1997-02-08	Ericsson	

If you wish to add additional U.S. Patent citation information please click the Add button.

[Add](#)**U.S.PATENT APPLICATION PUBLICATIONS**[Remove](#)

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
CM	1	20050282245		2005-12-22	Ludwig et al.	
CM	2	20050244805		2005-11-03	Ludwig et al.	
CM	3	20050214733		2005-09-29	Graham et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

[Add](#)**FOREIGN PATENT DOCUMENTS**[Remove](#)

Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
-------------------	---------	--------------------------------------	---------------------------	------------------------	------------------	---	--	----------------

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

CM	1	1471019	UK		1977-04-21	United Aircraft Corp.		<input type="checkbox"/>
CM	2	9317322	WO	A1	1993-09-02	Univ. of Hertfordshire GB		<input type="checkbox"/>
CM	3	06012597	WO	A2	2006-11-08	Monsanto Technology LLC		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
CM	1	Johnson, L.A., et al, 1996 Gender preselection in mammals. XX Beltsville Symposium in Agricultural Research Technolgy's Role in the Genetic Improvement of Farm Animals. pp. 151-164, Amer. Soc. Anim. Sci. IL, USA.	<input type="checkbox"/>
CM	2	Smorag, Z., et al., Cattle Sex Regulation by Separation of X and Y Spermatozoa – Preliminary Results of Field Experiment in Poland, Reproduction, Fertility and Development 17(2) 306–306; 01/01/2005	<input type="checkbox"/>
CM	3	Crichton, E., et al. (Abstract) Artificial Insemination of Lactating Holstein Cows with Sexed Sperm, Reproduction, Fertility and Development 18(2) 281 - 281, 12/14/2005	<input type="checkbox"/>
CM	4	Lindsey, A.C., et al. Hysteroscopic insemination of low numbers of flow sorted fresh and frozen/thawed stallion spermatozoa, Equine Vet J. 2002 Mar;34(2):106-7.	<input type="checkbox"/>
CM	5	Drobnis, E. Z, Cold shock damage is due to lipid phase transitions in cell membranes : a demonstration using sperm as a model, Journal of experimental zoology (J. exp. zool.) 1993, vol. 265, no4, pp. 432-437 (22 ref.)	<input type="checkbox"/>
CM	6	Hagele, W.C., et al., Effect of Separating Bull Semen into X and Y Chromosome-bearing Fractions on the Sex Ratio of Resulting Embryos; Cran J. Comp. Med, 1984: 48:294-298	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

CM	7	US Patent Application Number 11/422,735 filed 05/25/2006 entitled Apparatus, Methods and Processes for Sorting Particles and for Providing Sex-Sorted Animal Sperm	<input type="checkbox"/>
	8	Suh, T.K, et al., Pressure during flow sorting of bull sperm affects post-thaw motility characteristics; Theriogenology Vol. 59, No. 1, January 2003 p 516	<input type="checkbox"/>
	9	Rath, D, et al., In Vitro Production of Sexed Embryos for Gender Preselection: High-speed sorting of X-Chromosome-Bearing Sperm to Produce Pigs After Embryo Transfer, J. Anim. Sci. 1999, 77:3346-3352	<input type="checkbox"/>
	10	Auchtung, T.L., et al., Effects of Photoperiod During the Dry Period on Prolactin, Prolactin Receptor, and Milk Production of Dairy Cows; Journal of Dairy Sci. 88: 121-127; American Dairy Sci. Assoc., 2005. <b>Abstract only</b>	<input type="checkbox"/>
	11	Bailey, Tom and Currin, John Milk Production Evaluation In First Lactation Heifers; 1999 Virginia Cooperation Extension/Dairy Science Publication 404-285	<input type="checkbox"/>
	12	Belloin, J.C., Milk and Dairy products: prduction and processing costs Food and Agriculture Organization of United Nations Rome 1988 FAO; web page where found: <a href="http://www.fao.org/docrep/003/x6931e/X6931E00.htm">www.fao.org/docrep/003/x6931e/X6931E00.htm</a>	<input type="checkbox"/>
	13	Kume, Shin-ichi; Dept of Animal Nutrition National Institute of Animal Industry Tsukuba 305, Japan THE DAIRY INDUSTRY \$IN ASIA B. JAPAN; <a href="http://www.agnet.org/library/article/eb384b.html">www.agnet.org/library/article/eb384b.html</a> 10-1-1994	<input type="checkbox"/>
	14	Crichton, E.; Huffman, S.; McSweeney, K.; and Schenk, J. 347 Artificial Insemination of Lactating Holstein Cows with sexed sperm: Abstract CSORP Publishing - Reproduction, Fertility and Development <a href="http://www.publish.csiro.au/nid/44/paper/RDv18n2Ab347.htm">www.publish.csiro.au/nid/44/paper/RDv18n2Ab347.htm</a> 12-14-2005	<input type="checkbox"/>
↓	15	Lopez, H., Caraviello, D.Z., Satter, L.D., Fricke, P.M. and Wiltbank, M.C.; Relationship Between Level of Milk Production and Multiple Ovulation in Lactating Dairy Cows Journal of Dairy Sci. 88:2783-2793; American Dairy Science Association, 2005.	<input type="checkbox"/>
	16	<del>Managing the Dairy Cow During the Dry Period; Dairy Cattle Production 341-450A; Macdonald Campus of McGill University/Faculty of Agricultural &amp; Environmental Sciences/Department of Animal Science</del>	<input type="checkbox"/>
	17	<del>Milk Production and Biosynthesis University of Guelph/Dairy Science and Technology <a href="http://www.foodsci.uoguelph.ca/dairyedu/biosyntheses.html">www.foodsci.uoguelph.ca/dairyedu/biosyntheses.html</a></del>	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

CM	18	MILK PRODUCTION Released 7-18-2006, by the National Agricultural Statistics Service (NASS), Agri. Stats. Board, US Dept of Agri.	<input type="checkbox"/>
CM	19	De Vries, A. Economic Value of Pregnancy in Dairy Cattle Journal of Dairy Sci. 89:3876-3885/American Dairy Sci. Assoc. 2006	<input type="checkbox"/>
	<del>20</del>	<del>Parallel Russian Application Number 2000120210/19, Office Action Dated May 20, 2006</del>	<input type="checkbox"/>
	<del>21</del>	<del>Parallel Japanese Application Number 2000-526644, Office Action dated May 24, 2006</del>	<input type="checkbox"/>
	<del>22</del>	<del>Parallel Japanese Application Number 2002-044035, Office Action dated May 24, 2006</del>	<input type="checkbox"/>
CM	23	Johnson, L. A., Sexing mammalian sperm for production of offspring: the state-of-the-art; Animal Reproduction Science; 60-61 (2000) pp 93-107	<input type="checkbox"/>
CM	24	Seidel, G.E. Jr., et al., Methods of Ovum Recovery and Factors Affecting Fertilization of Superovulated Bovine Ova, Control of Reproduction in the Cow, Sneenan ed., 1978, pp 268-280	<input type="checkbox"/>
CM	25	Hawk, H. W. et al., Effect of Unilateral Cornual Insemination upon Fertilization Rate in Superovulating and Single-Ovulating Cattle, Journal of Animal Sciences, 1986 vol. 63, pp 551-560	<input type="checkbox"/>
CM	26	Andersson, M. et al., Pregnancy Rates in Lactating Holstein-Greisian Cows after Artificial Insemination with Sexed Sperm. Reprod. Dom. Anim 41, 95-97, 2006	<input type="checkbox"/>
CM	27	Morton, K. M., et al., In vitro and in vivo survival of bisected sheep embryos derived from frozen-thawed unsorted, and frozen-thawed sex-sorted and refrozen-thawed ram spermatozoa; Theriogenology, 65 (2006) 1333-1345	<input type="checkbox"/>
CM	28	Wilson, R. D., et al., In vitro production of bovine embryos using sex-sorted sperm, Theriogenology, 65 (2006) 1007-1015	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

CM	29	Garner, D.L. et al., Viability Assessment of Mammalian Sperm Using SYBR-14 and Propidium Iodide, 1996, Biology of Reproduction, Vol.53, pp 276-284	<input type="checkbox"/>
CM	30	Salisbury, G.W. et al., Substrate-Free Epididymal-Like Bovine Spermatozoa, J Reprod Fertil, 1963, Vol. 6, pp. 351-359	<input type="checkbox"/>
	<del>31</del>	<del>US Patent Application No. 10/378,109, Office Action dated February 12, 2006 (XY-Lodo-Div2)</del>	<input type="checkbox"/>
	<del>32</del>	<del>US Patent Application No. 10/378,109, Office Action dated August 31, 2006 (XY-Lodo-Div2)</del>	<input type="checkbox"/>
	<del>33</del>	<del>Ozhin F.V. et al. Artificial insemination of farm animals. Moscow. Izdatelstvo Selskokhozyastvennoi Literatury. 1961. pp. 350-361 and pp. 380-393</del>	<input type="checkbox"/>
	<del>34</del>	<del>Prokofiev M.I. Regulyatsia Razmnozhenia Selskokhozyastvennykh Zhivotnykh, Leningrad, NAOUKA Publishing House, 1983, pp. 181-195</del>	<input type="checkbox"/>
	<del>35</del>	<del>Solsberry G.U., Van-Denmark N.L., Theory and practice of artificial cow insemination in USA, Moscow, KOLOS Publishing House, 1966, p. 346</del>	<input type="checkbox"/>
	<del>36</del>	<del>Wintzer Et al.: "Krankheiten des Pferdes Ein Leitfaden fur Studium und Praxiz," 1982, nParey, Berlin Hamburg XP002281450</del>	<input type="checkbox"/>
	<del>37</del>	<del>van Munster F. B. "Geslachtsbepaling met interferometrie" Derde prijs NtvN-prijsvraag voor pas-gepromoveerden 65/4, (Sex Determination with Interferometry) p. 95-98 (1999)</del>	<input type="checkbox"/>
CM	38	Pursel, et al, "Effect of Orvus ES Paste on Acrosome Morphology, Motility and Fertilizing Capacity of Frozen-Thawed Boar Sperm," Journal of Animal Science, 47:1:198-202 (1978)	<input type="checkbox"/>
CM	39	Waggoner, A. W., et al., "Performance, Carcass, Cartilage Calcium, Sensory and Collagen Traits of Longissimus Muscles of Open Versus 30-month-old Heifers That Produced One Calf." J. Anim. Sci. 68:2380. 1990	<input type="checkbox"/>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09582809
Filing Date	2000-06-30
First Named Inventor	George E. Seidel
Art Unit	1634
Examiner Name	Carla J. Myers
Attorney Docket Number	XY-Lodo-USNP

CM	40	Reiling, B.A., et al., "Effects of Prenatal Androgenization and Lactation on Adipose Tissue Metabolism in Finishing Single-Calf Heifers" J. Anim. Sci. Vol. 75 p. 1504-1512 (1997)	<input type="checkbox"/>
CM	41	Rutter, L. M., et al., "Effect of Abomasal Infusion of Propionate on the GnRH-Induced Luteinizing Hormone Release in Prepuberal Heifers." J. Anim. Sci. 56:1167 (1983)	<input type="checkbox"/>
CM	42	Shackelford, S. D., et al., "Effects of Slaughter Age on Meat Tenderness and USDA Carcass Maturity Scores of Beef Females." J. Anim. Sci. 73:3304. (1995)	<input type="checkbox"/>
	<del>43</del>	<del>US Patent Application No. 10/001,935, Office Action dated March 14, 2000 (Super O-Cont2)</del>	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

Examiner Signature	/Carla Myers/	Date Considered	01/03/2007
--------------------	---------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.